

U.S. Patent Application Serial No. 10/670,386  
Preliminary Amendment filed January 30, 2007

**REMARKS**

As indicated above, this is a Preliminary Amendment for the RCE filed on January 30, 2007.

Claim 10 has been canceled without prejudice or disclaimer. Claims 1, 5, 20 - 22 and 32-37 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicant regards as his invention.

Claims 1 - 9 and 11 - 37 remain in this patent application.

In the final Office Action dated August 31, 2006, the following rejections are set forth:

- (1) claims 1 - 7, 11-16 and 20 - 28 are rejected under 35 U.S.C. 103(a) based on Hirono (U.S. Patent No. 6,246,958) in view of Carlsson, (U.S. Patent Publication No. 2002/0029224); and
- (2) claims 8, 9, 17 - 19 and 29 - 37 are rejected under 35 U.S.C. 103(a) based on Hirono in view of Carlsson, and further view of Kondou (U.S. Patent No. 6,073,075).

The applicant respectfully requests reconsideration of these rejections.

As now set forth in the amended claims, filed herewith, in the applicant's claimed invention, various target information is associated with acquisition time condition corresponding to update frequency of the target information in accordance with the type of information, and necessity of the acquiring operation is determined based on the acquisition time condition.

The primary reference of Hirono is directed to a mechanism for updating a single type of information (i.e., map information), which does not teach that the acquisition operation of the information is set in accordance with the type of the information, as acknowledged by the Examiner.

The secondary reference of Carlsson teaches a system for reducing peak communication load by providing priority scheme on the information in transmitting the information from a server (see, paragraphs [0036] - [0037]). In Carlsson, however, the transmission timing is determined by the priority scheme of information (see, paragraph [0037]), not "time condition corresponding to update frequency." Carlsson does not teach the association of the update frequency with the information. In this regard, the later part of paragraph [0036] in Carlsson merely describes the characteristics of various information, where no association of the type of the information with specific update frequency can be found.

Carlsson's teaching is thus clearly different from that of the applicant's instant claimed invention where updating operation (determination of update necessity and information acquisition) is conducted based on acquisition time condition.

In view of the above, the teachings of the suggested combination of references would still fall far short in fully meeting the applicant's claimed invention, as now recited in the amended claims filed herewith. Thus, a person of ordinary skill in the art would not have found the applicant's claimed invention obvious under 35 U.S.C. 103(a) based on Hirono and Carlsson, singly or in combination.

Accordingly, the withdrawal of the outstanding obviousness rejection under 35 U.S.C. 103(a) based on Hirono (U.S. Patent No. 6,246,958) in view of Carlsson, (U.S. Patent Publication No. 2002/0029224) is in order, and is therefore respectfully solicited.

The other secondary reference of Kondou is narrowly relied by the Examiner for the specific reason set forth in the sentence bridging pages 4 and 5 of the outstanding Action. However, such teachings, even if combined with the teachings of Hirono and Carlsson, would still fall far short in fully meeting the applicant's claimed invention, as now recited in the amended claims filed herewith, in which various target information is associated with acquisition time condition corresponding to update frequency of the target information in accordance with the type of information, and necessity

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of the acquiring operation is determined based on the acquisition time condition. Thus, a person of ordinary skill in the art would not have found the applicant's claimed invention obvious under 35 U.S.C. 103(a) based on Hirono, Carlsson and Kondou, singly or in combination.

Accordingly, the withdrawal of the outstanding obviousness rejection under 35 U.S.C. 103(a) based on Hirono in view of Carlsson, and further view of Kondou (U.S. Patent No. 6,073,075) is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, the claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Request for Continued Examination w/ Fee  
Petition for Extension of Time w/ Fee